

DRAFT DECISION MEMO

USDA Forest Service Mt. Baker-Snoqualmie National Forest Darrington Ranger Districts Snohomish County, Washington

Darrington Collaborative Segelsen Restoration Project

Proposed Action

This would implement a stewardship project of second-growth thinning with drainage enhancements both in the Segelsen Creek area and in Clear Creek (Road 2060 and Road 2065 to the 8-Mile trailhead) as part of stewardship contracting.

The project would thin densely stocked, homogeneous second growth stands that originated following clear-cutting and planting approximately 55 years ago. The proposed variable density thinning would promote the development of old-forest characteristics and functions, including large trees with complex crowns, a multistory canopy, and a diverse understory plant community. Post logging activities would include tree planting, road treatments and monitoring. The tree planting would occur in canopy gaps greater than about ¼ acre in size (95 trees per acre of Western red cedar and 5 trees per acre of Bigleaf maple). Post logging road treatments would include storage of the access road with the access road blocked to motorized vehicles at the junction with Road 18 and decommissioning of the temporary road from the junction of the access road into the stand being thinned. Post logging monitoring would assess the effectiveness of the thinning treatment with there-measurement of long-term monitoring plots established prior to the thinning operations. A detailed description of the thinning project with prescription, implementation plan and post logging activities (planting, road treatments and stand monitoring) is provided in Appendix A: Darrington Collaborative - Segelsen Pilot Project Prescription and Implementation Plan.

This project would also implement aquatic restoration work in the Clear Creek drainage with drainage and road improvements including culvert upgrades, ditch clean-up, and improved road surfacing. Clear Creek was selected for drainage restoration due to heavy recreational use* and work needed to meet appropriate road maintenance standards consistent with Aquatic Conservation Objectives. Forest Service road 2060 and 2065 has developed large pot holes, erosion and scour channels. Road ditches have filled in many places, losing capacity and allowing water to flow over the road eroding the road surfacing. This project would restore hydrologic flow patterns across the slope by bringing the targeted road system up to standards, and minimizing potential road system impacts on Clear Creek and tributary streams.

Appendix B: Darrington Collaborative - Segelsen Pilot Project, Clear Creek Road Work includes a detailed description of the aquatic restoration with an attachment of the inventory of restoration work identified on the Clear Creek Road 2060 and 2065.

**Clear Creek Road accesses several popular rock climbing areas (Witch Doctor Wall, Exfoliation Dome, Green Giant Buttreass and practice routes), 3 different hiking destinations (Squire Creek Pass, Deer Creek Pass & Copper Creek trail), fishing access to Clear Creek, general exploring/scenic view driving and hunting/gathering/dispersed camping). It is also popular for winter Nordic skiing & snowshoeing.*

Purpose and Need

There is a need for forest stands that contribute to meeting desired conditions as per the standards provided in the Forest Land Management Plan (as amended). There is also a need for road systems to meet appropriate road maintenance standards consistent with Aquatic Conservation Objectives.

Locations

The project is located in the Segelsen area, approximately five miles northwest of the Town of Darrington, and within the Clear Creek drainage, approximately three miles southeast of the Town of Darrington. The thinning portion of the project is located in: T33N, R09E, Sections 28 & 29 (Segelsen Thin) and the road restoration work is located in T32N, R10E, Section 31, T31N, R10E, Section 6 & 7, T31N, R09E, Sections 12, 13, 23, 24, (Clear Creek Road 2060 and 2065).

Decision

I have decided to implement the Segelsen Pilot Thinning and Road restoration project as described in the "Proposed Action" sub-section above and appendix A.

This action is categorically excluded from documentation in an environmental impact statement or an environmental assessment because it qualifies for exclusion under Code of Federal Regulations 36 CFR 220.6(e)(12): Harvest of live trees not to exceed 70 acres (not for even-aged regeneration). The action can be categorically excluded because there are no extraordinary circumstances related to the proposed action that may result in significant individual or cumulative environmental effects. This is addressed further in the section, "Reasons for Categorically Excluding the Action from Additional Documentation," below.

Management Requirements and Mitigation Measures

The following management requirements and mitigation measures are integral components of this decision, and are to be implemented as part of this authorization. They are designed to minimize potential environmental impacts of the project activities and to improve existing conditions.

Heritage

- If any person implementing this action discovers a previously unidentified cultural resource(s) or human remains during project implementation, or if an identified resource(s) is affected in an unanticipated way, the activity shall be stopped in the area of the find and a reasonable effort made to secure the protected resource(s). The Heritage Specialist shall be notified and the Forest

will fulfill its responsibilities in accordance with the Programmatic Agreement and other applicable regulations (Stipulation III.B. (c)). If human remains or cultural items specified in the Native American Graves Protection and Repatriation Act (NAGRA) are located, regulations implementing NAGRA shall be followed.

Botany

- If any previously undiscovered TES or other rare or uncommon vascular plants, bryophytes, lichens, or fungi are discovered, before or during project implementation, halt work until a USFS botanist is consulted and necessary mitigation measures are enacted.
- All heavy equipment and gear that will operate outside the limits of the road prism will be cleaned prior to entering the National Forest, to prevent introduction of weeds.
- Infestations of high priority invasive plants will be treated with the most effective, approved means possible. Treat high priority sites prior to ground disturbance.
- If weeds are present in the project area, work from relatively weed-free areas into the infested area rather than vice-versa.
- All rock, fill, seeds, straw and mulch will be examined by a certified inspector and deemed free of Washington State listed weed species. Weed free straw for erosion control will be certified by WA State via the WWHAM program <http://agr.wa.gov/PlantsInsects/WWHAM/WWHAM.aspx>
- Revegetate areas of bare soil exposed by project activities if there is a risk of noxious weed invasion. Native plant materials are the first choice in revegetation where timely natural regeneration of the native plant community is not likely to occur. If native plant materials are not available, use the appropriate MBS non-native seed mix (per Potash and Aubry 1997).

Wildlife

- Protect and retain all down woody debris > 8 inches diameter at the small end. Redistribute on-site coarse wood to the extent practicable throughout project sites.
- Contract operators must ensure food stuffs or any other edible attractant are not discarded and is secured from bears, other carnivores and corvids at all times during the operating period
- The thinning prescription would designate wildlife trees to retain that include dominant trees for future large snags, and marking of deformed green trees to retain for future wildlife trees.
- Dominant trees infested with dwarf mistletoe will be retained in the thinning marking with thinning to enhance light for growth
- Harvest activities above background ambient noise levels will occur during daily operating period of two hours after sunrise to 2 hours before sunset during the time period of April 1 to September 23rd
- If raptor nest sites are found within the Project area during sale layout or implementation, activities will stop and a Forest Service Wildlife Biologist will be consulted. At the Wildlife Biologist's discretion protective buffers and/or seasonal operation restrictions may be assigned to the newly located nest sites.

Hydrology and fisheries

- Erosion prevention and control methods will be used as necessary during and immediately after project implementation to minimize loss or displacement of soils and to prevent delivery of sediment into streams. These may include, but are not limited to, operational techniques, straw bales, silt fencing, erosion control blankets, temporary sediment ponds, and/or immediate mulching of exposed areas.
- Decommissioning of the temporary road that accesses stands in the thinning project area will occur. This may involve road surface de-compaction, restoring stream channel crossings by removing fill and culverts, spreading of slash or other organic material and some re-contouring/grading of the road prism.
- The access road used for thinning treatments will be hydrologically disconnected after commercial thinning activities are completed. This may include installation of water bars to intercept and remove road surface flow, removal of culverts on intermittent and perennial streams, and installation of a berm or rock barriers to prevent motor vehicle use.
- Implementation provisions in both the WDFW-FS HPA MOU and ARBO II for road restoration activities on FSR 2060 will be followed.
- Minimize erosion and delivery of sediment laden water to streams and wetlands. Reduce sedimentation by use of BMPs and erosion control methods such as silt or filter fabric, silt or filter fencing, straw bales, temporary settling ponds, and rain cover.
- If wet weather conditions during project operations generate and transport sediment to a stream channel or other water body, operations shall cease until the weather conditions improve, unless delaying operations would create the risk of adverse resource impacts. Coordination with FS aquatic specialists shall be part of this decision process.
- Thoroughly clean heavy equipment (tracks, wheels, frame, undercarriage, bucket, etc.) and service vehicles offsite prior to commencement of work. Equipment may be inspected by FS prior to commencement of work on National Forest System Lands to ensure machinery is clean and free of dirt, debris, and noxious weed seed. Equipment removed from the project site may be inspected by FS again upon return.
- Prior to commencement of daily work, contractor shall check machinery for fuel, oil, and hydraulic leaks and problems shall be repaired before use. Repairs to equipment will be made outside of Riparian Reserves or at a location protected from surface water resources as approved by Forest Service Representative.
- During operations on NFS lands, the Forest Service may inspect for BMP compliance at any time.
- Establish a hazardous spill plan and maintain a spill remediation kit onsite prior to use of the road system and for any temporary fuel stored or transported on NFS lands. Spill prevention kits shall be available on-site during use of heavy machinery and commensurate with the type of equipment present.
- All storage of potential contaminants, and maintenance work involving potential contaminants, such as fuel, oil, and hydraulic fluid, shall be done at least 100 feet from stream channels, water bodies, and wetlands, or at a site approved by a FS aquatic specialist.

- Generators and water pumps shall be maintained in or on a fuel containment system such as an SPCC containment unit with berms or sorbent pad with a minimum capacity of 150% of the fuel volume present.
- Waste materials associated with the project shall be disposed of outside of the riparian reserve as approved by FS representative and trash removed from site to an appropriate disposal area.

Rationale for Decision

I have decided to implement the proposed Action because it meets project purpose and need, and will have minimal impact on National Forest resources. This decision will result in the restoration thinning of the second growth stands in the Segelsen/Cascade Creek area and enhance aquatic resources with the decommissioning of an existing road segment in the project area, storage of an access road and road drainage work on the Clear Creek Roads (FSR 2060 and 2065).

Scoping for the project did not identify any key issues, but did receive two private individuals comments of support and a support letter from multiple groups (Access Fund, the American Alpine Club, the Mountaineers, and Washington Climber Coalition) which supported the restoration work described for Road 2060 which access rock climbing areas in the Clear Creek drainage as well as the proposed sustainable thinning of timber in the Segelsen Creek area. A letter from the Pilchuck Audubon Society raised questions on the project and expressed a desire to tour the area. A field trip was organized by the Darrington Collaborative staff to provide Pilchuck Audubon Society and interested parties an opportunity to view the area and discuss the proposed action. Opportunities to speak with Forest Service staff were also provided with Pilchuck Audubon Society sharing their belief that Darrington's economy would be better served by improving recreational opportunities rather than thinning projects. The joint letter of Pilchuck Audubon Society and North Cascades Consecration Council questioned the use of a categorical exclusion for the thinning project which is discussed below. No new issues were identified in scoping.

Reasons for Categorically Excluding the Action from Additional Documentation

Agency policy at 36 CFR 220.6 states that a proposed action may be categorically excluded from documentation in an environmental assessment (EA) or environmental impact statement (EIS) only if the action is within a category listed in 7 CFR part 1b.3 or 36 CFR 220.6 (d) or (e); and there are no extraordinary circumstances related to the proposal that may result in significant individual or cumulative environmental effects.

The proposed action qualifies for categorical exclusion under Code of Federal Regulations, 36 CFR 220.6(e)(12): *"Harvest of live trees not to exceed 70 acres, requiring no more than ½ mile of temporary road construction. The proposed action may include incidental removal of trees for landings, skid trails and road clearing. Examples*

include, but are not limited to: (ii) *Commercial thinning of overstocked stands to achieve the desired stocking level to increase health and vigor.*"

Finding of No Extraordinary Circumstances

I have determined that there are no extraordinary circumstances related to the proposed action that may result in significant individual or cumulative environmental effects. There were no potentially significant effects identified during public scoping or by Forest Service specialists. Questions were raised by two commenters on the use of a CE vs. an EA for the thinning project.

Specialists reviewed the proposed action during 2016/2017 and the categorical exclusion section of the Forest Service NEPA Regulations (Forest Service Handbook 1909.5, Chapter 30). None of the resource conditions listed in 36 CFR 220.6 (b) (i) through (vii) indicate that extraordinary circumstances exist that warrant analysis and documentation in an EA or EIS. This section of the CFR notes that: "it is the existence of the cause-effect relationship between a proposed action and potential effect on these resource conditions and if such a relationship exists, the degree of the potential effect of a proposed action on the resource conditions that determine whether extraordinary circumstances exist (36 CFR 220.6 (b))."

My determination is based on interdisciplinary team review and analysis that took into account the resource conditions identified in agency procedures that should be considered in determining whether extraordinary circumstances might exist.

a. Federally listed threatened or endangered species or designated critical habitat, species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species.

The proposed action was evaluated for potential effects from this project on proposed, threatened, endangered, and sensitive wildlife and fish species.

Wildlife: Due to the lack of suitable nesting habitat for spotted owl and the lack of change in grizzly bear or gray wolf core habitat, the effect determination for federally listed wildlife species is *No Effect* for northern spotted owl, grizzly bear and gray wolf. Due to the presence of mistletoe branches which provide platforms, the project area does include potential marble murrelet nesting habitat. These trees would be left in thinning "skips" but would have potential noise disturbance so the risk determination for marbled murrelets is *may effect, not likely to adversely affect* with application of operational mitigations. There would be no effect on critical habitat for northern spotted owl or marbled murrelet since the thinning project is outside of critical habitat and the road drainage work would not impact habitat. The project would have *No Impact* to wildlife species on the Regional Forester's Wildlife Sensitive species list. There would be no measurable change in health of individuals or to the quality or quantity of habitat for Forest Management Indicator species. There are no expected impacts to Survey and Manage and Sensitive Mollusk species because these species are not expected to occur due to a lack of suitable habitat in stands less than 80 years of age.

Fisheries: Regarding the stand management activities, the project is two miles away from the nearest occupied federally listed fish species habitat. In addition, due to retaining stream buffers in riparian reserves, no perennial streams occur in the thinning project area, and implementing best management practices for logging operations, the project would have *No Effect* for federally listed threatened or endangered fish species or their critical habitat. The project *Would Not adversely affect* essential fish habitats and would not affect the Forest wide viability of Management Indicator Species fish populations, nor would it have a measurable effect on the quality or quantity of their habitats in action area.

Regarding activities on Forest Service roads 2060, the project will *Likely to Adversely Affect* federally listed (threatened) Puget Sound steelhead trout and bull trout. This is due to project work including culvert replacements occurring in streams with flowing water that are tributaries to streams that either have or are suspected to have federally listed fishes. The hydraulic work could result in sediment production and short-term adverse effects (i.e. harm or harassment to individuals) to those species as a result of implementation and therefore the Regional Aquatic Restoration Biological Opinion (ARBO II) would be used to cover the potential take of federally listed fish.

Botanical Resources: A pre-field review was completed for this project. Because the project is thinning is second growth forest stands under the age of 80 years old, the project is exempt from Northwest Forest Plan Survey and Manage requirements as stated in the 2006 Judge Pechman ruling. The project area has little to no suitable habitat for Regional Forester's Sensitive botanical species suspected or known to occur on the Forest, therefore no impacts are expected.

b. Floodplains, wetlands, or municipal watershed.

The project is outside of the 100 year floodplain, outside of wetlands and municipal watersheds. This project is consistent with the Standards and Guidelines for Key Watersheds in the Northwest Forest Plan (USDA Forest Service, 1994) and will not prevent or retard the achievement of the Aquatic Conservation Strategy Objectives.

c. Congressionally designated area such as wilderness, wilderness study area, or National Recreation Area.

The project is outside of any Wilderness, Wilderness Study Area, National Recreation Area or Wild and Scenic River System.

d. Inventoried Roadless Area or potential wilderness area.

The project area is not located within an Inventoried Roadless Area.

e. Research Natural Area (RNA).

The project area is not located within any Research Natural Areas (RNA) or potential RNAs.

f. American Indians and Alaska native religious or cultural sites

The project would not affect any known American Indian religious or cultural sacred sites. The federal government has trust responsibilities to Tribes under a

government-to-government relationship to ensure that the Tribes' reserved rights are protected. Consultation with Tribes helps ensure that these trust responsibilities are met.

The Forest consulted with potentially affected Tribes (letters sent on March 16, 2016) and no concerns were raised for impacts to religious or cultural sites.

g. Archaeological sites, historic properties or areas

A cultural resource survey of the project area has been completed, and there would be no effect to historic properties. This documentation was provided to the State Historic Preservation Office (SHPO) under the terms of the 1997 Programmatic Agreement.

The project will have no adverse effect on Heritage Resources with the implementation of the heritage mitigation measures that are integral component of this decision, and are to be implemented as part of this authorization.

Tribal Consultation

The proposal was provided to the Sauk-Suiattle, Upper Skagit, Tulalip, Stillaguamish, Samish, Lummi, and Swinomish Tribes for review and comment in written notification sent the tribes in March of 2016, and during government-to-government consultation meetings held between District Rangers and tribes during 2016.

A representative of the Sauk-Suiattle Tribes provided comment on the need for protection and enhancement of plant species of traditional use by the tribe. The annual meeting with the Tulalip-FS Memorandum of Understanding meeting provided an opportunity to discuss this project, and a meeting with the Stillaguamish Tribe (May 10, 2016) provided an opportunity to discuss vegetative projects in both the S.F. and N. F. of the Stillaguamish Rivers

Public Involvement

The Mt. Baker-Snoqualmie National Forest solicited public involvement on the proposed action, by sending an electronic scoping letter on March 18, 2016 to over 200 individuals, organizations, and other government agencies potentially interested in or affected by the proposed project. The scoping letter was also posted on the MBS website along with background information. Eight comments were received expressing support for this effort, and one comment representing two groups, expressing concern that an adequate NEPA review be conducted before implementing the thinning portion of the proposed action, need for project and road treatment. In response to the comments, there were a number of field trips conducted and a public meeting in Darrington on the project. Concerns were addressed where possible in the mitigation and conservation measures.

Findings Required by Other Laws and Regulations

National Forest Management Act: As required by 36 CFR 219.8(e), this decision is consistent with Mt. Baker-Snoqualmie National Forest Land and Resource Management Plan, as amended (Forest Plan).

The Project is located on portions of lands allocated to Riparian Reserves (RR), Finney Adaptive management Area (AMA) and Tier 1 Key Watersheds (1994 ROD amendment to the MBS Forest Plan). The project will be consistent with these land allocations, as follows.

Project activities will not retard or prevent attainment of Aquatic Conservation Strategy objectives for RR. Implementation of the fisheries mitigation measures above, and as activities are in areas with limited access to aquatic resources, the relevant standards and guidelines of the Forest Plan are met by (1) meeting State Water Quality Standards, (2) maintaining bed and bank stability, and (3) the migrations in the 2013 Regional Aquatic Restoration Biological Opinion.

The project will decommission an existing road segment and stormproof additional road segments so it will not change road miles within Tier 1 Watersheds (USDA, USDI 1994, pp. C-7, C-189, and C-198).

The Project will also be consistent with the 2001 Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (2001 ROD), as modified by the 2011 Settlement Agreement because it will have no impact on Sensitive and Survey and Manage plant and wildlife species.

National Environmental Policy Act (NEPA): The process for this analysis followed the regulations and direction outlined in 40 CFR 1500-1508, 36 CFR 220, Forest Service Manual 1950 on NEPA, and Forest Service Handbook 1909.15 on NEPA. There has been opportunity for public involvement during the course of the analysis. This decision memo summarizes and documents the environmental analysis conducted by the Forest Service. Given these factors, I find this decision fully complies with NEPA.

Endangered Species Act: My decision complies with this Act. For effects findings on Threatened, Endangered, or Sensitive species, see the Finding of No Extraordinary Circumstances section, above.

The District Wildlife Biologist, Zone and Forest Fisheries Biologists, and the Zone Botanist analyzed the project with regard to the Endangered Species Act. Effects determinations are described in the "Finding of No Extraordinary Circumstances" section of this document.

National Historic Preservation Act: As stated, the Project Record contains documentation of consultation with appropriate Tribes and interested persons. No Tribal concerns were raised regarding the identification and evaluation of, or effects to, historic or pre-historic properties. The action will not affect any archeological sites, or historic properties or areas. A cultural resource survey has been completed. The project meets the terms of the 1997 Programmatic Agreement between the Advisory Council for Historic Preservation, Washington State Historic Preservation Office, and Forest Service (Cultural Specialist Report in Project Record).

Migratory Bird Treaty Act: The project would impact elements of some migratory species' primary habitats or life requisites, but the project would not adversely affect the

viability of migratory birds. Due to the limited scale and scope of the project, effects to migratory and land birds and their habitat would be minimal and within the range of natural variability of ecological change in the N. F. Stillaguamish River drainage (Wildlife Specialist Report in Project Record).

Clean Water Act: This proposal complies with the Clean Water Act and Executive Orders 11988 and 11990 and related State water quality requirements. The project activities are outside of wetlands, streams, and the 100 floodplain and would not impact waters of the U.S.

Invasive Species Management: This decision is consistent with both Forest and Regional direction regarding invasive species management. The project is consistent with the U.S. Forest Service national Strategic Framework for Invasive Species Management and will comply with management direction and prevention strategies. Best management practices and mitigation measures to prevent noxious weed introduction and spread are incorporated into this project (Refer to the "Standard Management Practices and Mitigation Measures" section above.).

Administrative Review or Appeal Opportunities


This decision falls under a categorical exclusion that is not subject to review and administrative appeal pursuant to 36 CFR 215.12, *Decision and Actions not Subject to Appeal*.

Implementation Date

Implementation of this project may take place immediately upon signature of this Decision Memo.

Contact Person

For further information concerning this decision, please contact Phyllis Reed at the Darrington Ranger District, 1405 Emens Ave. N, Darrington WA 98241; by phone (360) 436-2332; or by e-mail plreed@fs.fed.us


PETER R. FORBES
District Ranger
Darrington Ranger District
Mt. Baker-Snoqualmie National Forest

02/28/2017
Date

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer and lender.